



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

MISCELLANEOUS FIRST APPEAL NO.3013 OF 2021(MV-I)

BETWEEN:

SRI. ULLAS POOJARI,
S/O RAMA POOJARY,
AGED ABOUT 28 YEARS,
R/O KADAVOORU VILLAGE,
MALPE,
UDUPI TALUK-576103.

...APPELLANT

(BY SRI. NAGARAJA HEGDE, ADVOCATE)

AND:

1. SRI. NAGARAJ DIXT.
S/O BABURAO DIXIT,
AGE MAJOR,
R/O GAS AGENCIES BS ROAD,
RANEBENNURU,
HAVERI DISTRICT-581115.
2. UNITED INDIA INSURANCE CO. LTD.,
BRANCH OFFICE,

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA



SRI LAXMI NARASIMHA COMPLEX,
NH-66,
KUNDAPURA-576201
REP. BY ITS BRANCH MANAGER.

...RESPONDENTS

(R1- SERVED, UNREPRESENTED;
SRI. RAVISH BENNI, ADVOCATE FOR R2)

THIS MFA FILED U/S.173(1) OF MV ACT, AGAINST THE
JUDGMENT AND AWARD DATED 06.06.2020 PASSED IN
MVC NO.820/2017 ON THE FILE OF THE ADDITIONAL DISTRICT
JUDGE AND ADDITIONAL MACT, UDUPI, (SITTING AT
KUNDAPURA), KUNDAPURA, PARTLY ALLOWING THE CLAIM
PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT
OF COMPENSATION.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA



ORAL JUDGMENT

Heard Sri.Nagaraja Hegde learned counsel for the appellant as well as Sri.Ravish Benni.C learned counsel for respondent No.2.

2. This appeal is the outcome of the order that is rendered by the Motor Accident Claims Tribunal, Udupi sitting at Kundapura in MVC No.820/2017 dated 06.06.2020.

3. On the ground that he sustained grievous injuries in a road traffic accident that occurred in the year 2017, the appellant filed a petition claiming compensation. The Tribunal appreciating the evidence brought on record, held that appellant is entitled to a sum of Rs.5,56,450/- as compensation. The version of appellant is that he is entitled to a higher sum.

4. Learned counsel for the appellant submits that appellant is only aggrieved by the meager sum that is awarded as compensation under the heads loss of income



during laid up period and loss of amenities in life. Learned counsel thereby seeks for enhancement in compensation.

5. Per contra, learned counsel for respondent No.2 states that exorbitant amount of Rs.1,00,000/- is granted towards pain and suffering and thus, appeal is not maintainable.

6. By all the evidence brought on record, appellant established that he sustained a laceration bone deep on right side of forehead with cerebral edema and with partial oculomotor nerve paralysis, sustained fracture of femur and five other simple injuries. There is no denial of the fact that appellant took treatment as inpatient for 22 days. Having considered the nature of injuries sustained and the treatment taken, this Court is of the view that the compensation granted towards pain and suffering cannot be termed to be high of unjustifiable. Having considering the nature or injuries sustained, this Court is of the view that appellant would have taken bed rest atleast for a



period of three months. However, Tribunal granted a sum of Rs.30,000/- towards loss of income during laid up period making an observation that he would have taken bed rest atleast for a period of two months. Also, as rightly contended, the sum awarded towards loss of amenities in life is on lower side. Thus considering the totality of evidence produced, this Court is of the view that compensation granted by the Tribunal is required to be enhanced by Rs.40,000/-. Therefore, appeal is disposed of with the following:

ORDER

- (i) Appeal is allowed in part.
- (ii) Compensation that is granted by the Motor Accident Claims Tribunal, Udupi sitting at Kundapura through orders in MVC No.820/2017 dated 06.06.2020 is enhanced by Rs.40,000/-.
- (iii) The enhanced sum shall carry interest at the rate of 6% per annum from the date of petition till the date of deposit.



- (iv) Respondent No.2 is directed to deposit the enhanced sum within a period of eight weeks from the date of receipt of certified copy of this judgment.
- (v) On deposit, appellant is permitted to withdraw the entire amount.

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

DS
CT:TSM
List No.: 1 Sl No.: 15